

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.**

CIVIL APPLICATION NO.2552 OF 2003.

IN

FIRST APPEAL STAMP NO.25509 OF 2003.

The New India Assurance Co.Ltd.

Kohlapur : Appellants.

versus

Smt.Vaijanta Laxman Borate & ors. : Respondents.

Mr.Sudesh Dasgupta i/by Singhania & Co. for the
appellants.

Ms.Leena Shinde i/by Dilip Bodke for the
respondents.

CORAM : D.G.DESHPANDE, J.

DATED : 24th June 2005.

ORAL ORDER

1. Heard advocate for the appellants. This is an application for condonation of delay of 104 days. It is strongly opposed by the counsel for

the respondents. No explanation much less satisfactory explanation is given by the appellant for the delay. However, looking to the facts and the issue involved, delay is condoned subject to payment of costs of Rs.5000/- to the respondents. Costs to be paid within three weeks from today. Payment of costs is a condition precedent. Civil application is disposed.

[D.G.DESHPANDE]

24/06/2005

JUDGE.